

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yu et al.

Docket No.: PF343P3C5

Application No.: 09/589,288

Confirmation No.: 1519

Filed: June 8, 2000

Art Unit: 1647

For: Methods of Inhibiting B Lymphocytes Using
Antibodies to Neutrokin-alpha (As Amended)

Examiner: B.E. Bunner

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Agent for Applicants hereby directs the Examiner's attention to reference M1 listed on the attached Form SB/08. A copy of non-U.S. patent reference M1 is enclosed.

Applicants are submitting reference M1 to inform the United States Patent and Trademark Office of a Request for the Revocation of the UK counterpart of European Patent No. 0 939 804, issued to Human Genome Sciences, Inc. This Request for Revocation was filed by Eli Lilly and Company (Lilly) in the British High Court of Justice, Chancery Division, Patent Court on July 5, 2006. European Patent No. 0 939 804 is based off of International Patent Application No. PCT/US96/17957 to which the present application claims priority. Reference M1, submitted herewith, is Lilly's Request for Revocation of European Patent (UK) No. 0 939 804, including supporting documents.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Pursuant to 37 C.F.R. § 1.704(d), the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

Pursuant to 37 C.F.R. § 1.97(b)(4), this Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge such fee to our Deposit Account No. 08-3425.

Dated: August 3, 2006

Respectfully submitted,

By Michele Shannon
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KKH/MS/EC/pb

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| Substitute for form 1449A/B/PTO | | | Complete if Known | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | Application Number | 09/589,288-Conf. #1519 | |
| | | | Filing Date | June 8, 2000 | |
| | | | First Named Inventor | Guo-Liang Yu | |
| | | | Art Unit | 1647 | |
| | | | Examiner Name | B.E. Bunner | |
| Sheet | 1 | of | 1 | Attorney Docket Number | PF343P3C5 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|-----------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | M1 | Eli Lilly and Company's Request for Revocation (Claim # HC06C02687) against European Patent (UK) No. 0 939 804 including copies of supporting documents. Filed in the High Court of Justice, Chancery Division, Patents Court on July 5, 2006. | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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